



**Delaware Jockey's Health & Welfare Benefit Board
Minutes of Regular Meeting Held On
June 5, 2019**

The Delaware Jockey's Health & Welfare Benefit Board held a Regular Meeting on
Wednesday, October 16, 2019 at 9:05 a.m. in the Horseman's Office
at Delaware Park, 777 Delaware Park Blvd, Wilmington, DE 19804

The following Board members were present:

Edward J. Stegemeier, Chairman
Duncan Patterson, Ex-Officio Member, DTRC Chair
Bessie Gruwell, DTHA Executive Director
Pedro Lizarzaburu, DJH & WBB Board Member
Heriberto Rivero, Jr., Jockeys' Guild

The following individuals also were present:

Robert E. Colton, Delaware Jockey's Association, Director
Samantha Cutrone, Premier Physical Therapy & Sports Performance, Athletic Trainer
Andrew Kerber, Esquire., Deputy AG, Board Counsel
Kevin DeLucia, Delaware Park CFO
John F. Wayne, DTRC Executive Director
Allyson Swartzentruber, DTRC (recording minutes)

1. WELCOME AND CALL TO ORDER

Chairman Stegemeier called the meeting to order at approximately 9:04 a.m.

2. OLD BUSINESS

At this time there was no old business to discuss.

3. NEW BUSINESS

I. State of the Fund

DJA Director Robert Colton gave the following report:

The Year-to-Date Revenue Less Expenses as of September 30, 2019 is a surplus of \$13,638. All yearly expenses have been paid with the exception of the December health insurance. The unencumbered balance for the fund is \$748,136. The 2019 State Mandated Contribution (deposited in July) was \$468,706, which exceeds 2018 contribution of \$461,030.

As of September 30, 2019 the Health Benefit Enrollment was 28 jockeys. 11 were active and 17 were retired. There were 5 active and 4 retired jockeys who were eligible, but non-participating. 4 of the jockeys technically eligible for retired benefits have active jockey licenses and are not eligible to enroll until they retire from riding, with 2 of those 4 currently enrolled for active benefits. 4 of the 5 active jockeys who declined benefits for 2018 did not meet 2019 eligibility.

So far in 2019 4 active jockeys enrolled during open enrollment (Jan 1) from 2018 eligibility, and 1 participating jockey changed status from active to retired. No jockeys dropped from the program this year. Chairman Stegemeier is greatly concerned about the number of retired vs active riders in the plan. With two enrolled riders about to reach retirement, the gap will widen even further to 19 retired and 9 active on the plan. Mr. Colton has put some thought into the possibility of creating two different rates for the actives and retirees. He also suggests splitting the funding evenly between the two groups, then dividing among the members of each group to establish the individual premiums. Mr. Colton would like Mr. Kerber's advice on the fairness and legality of such. Mrs. Gruwell suggests trying to enact this for 2020 instead of waiting until the time when it becomes crucial for the survival of the fund.

Our costs go down when riders reach Medicare age. When this occurs we only cover gaps in coverage and prescription costs.

Chairman Stegemeier wants a proposal drafted for the January meeting to address the issue of covering higher and higher numbers of retired jockeys.

This was the first year that the program did not see any hospitalized jockeys, so claim expense was minimal.

At this time an accurate 2020 budget cannot be given. Insurance rates for next year have not yet been released. We also do not have a definitive number of riders that will be participating in open enrollment in December. All riders who are eligible for benefits in 2020 have been provided with an application. All but one has expressed interest in enrolling. Mr. Colton will give an update in late December when he receives the rates and the applications of enrolling riders.

II. Athletic Trainer Program Update

At this time Mr. Colton gave the Athletic Trainer Program Update. The YTD expense for the program in 2019 was \$31,065. Included in this number is the \$29,400 trainer expense (\$60/hr), \$165 in supplies, and \$1,500 for Ms. Cutrone's travel to Dubai. The trainer expense is paid-in-full. The 2018 expense (\$13,669) included 203 hours of athletic trainer services at \$60 per hour (\$12,150), and \$1,519 in supplies. The increase from 2019 to 2018 is a result of this being our first *full* year with an athletic trainer.

Under the terms of the current AT contract, the service fee of \$60/hr for 2019 will increase to \$63.25/hr for 2020, and \$65.30/hr for 2021. The service fee is based on 6 hours per race day with a minimum total fee per year.

At this time Athletic Trainer Sam Cutrone took the floor to give further comment on the Athletic Trainer Program, the implementation of concussion protocols, and improved communication between racetracks in the region regarding jockey injury reporting.

Ms. Cutrone reports that the jockeys are now more trusting of her and quite used to her presence, and to needing to check in with her after a fall. Communication between herself and the EMTs has also improved. She has received morning texts from EMT staff informing her of riders' falls while she was not on site. The doctor (Brad Sandella) that Ms. Cutrone has been regularly referring riders to for rehabbing has been very accommodating, often being able to see them the next day.

III. DJH&WF Administrator Contract

There are no monetary changes to the contract. Legal counsel Andrew Kerber provided the contract with a few minor changes, which were introduced at the June 5, 2019 meeting. The Board approved the contract at the aforementioned meeting. Mr. Kerber then provided the Delaware Jockeys Association contract which was signed by Chairman Stegemeier and Mr. Colton.

IV. Mount Analysis

Mr. Colton would like the Board to consider a rule change regarding the number of mounts required to meet eligibility for health benefits. Several riders have expressed concern over the continuing trend of reduction in the number of horse-starts at Delaware Park. We had 4,319 starts in 2019, which is a 9.2% reduction from 2018's 4,754 starts, and 17.9% reduction from the 5,261 starts in 2017. The jockeys are asking for a "one mount per race day average" for eligibility.

V. Continued Coverage Requests

2 jockeys petitioned the Board for eligibility to continue their health coverage. They are both currently short of the mount minimum and therefore ineligible.

- David Amiss suffered a broken back at Delaware Park in 2017 which required a second surgery in May of 2019, totally disabling him. Mr. Amiss' temporary disability benefits have ended, he does not qualify for permanent disability, and he is not yet eligible for retirement benefits.
- Jeremy Rose suffered an addiction relapse and voluntarily removed himself to rehab during the season, missing 18 race days. Mr. Rose is an accomplished rider with a high win percentage and a record of 11 years of exceeding 100 mounts. He is eligible for retirement, but does not wish to retire at this time.

Motion Gruwell and second Lizarzaburu to continue benefits for active rider Jeremy Rose. The motion passes unanimously.

The Board does not wish to make a decision in the case of David Amiss until it is known for sure whether or not he will be back riding for 2020.

Motion Stegemeier and second Gruwell that Mr. Amiss will be carried on the plan through the month of February 2020. His petition will be revisited at the January DJH&WBB meeting.

VI. Resignation of the Chairmanship

Chairman Stegemeier would like the Board to prepare to appoint a new Chairman from its members, as he will be stepping down and wishes to continue on the Board as a regular member. This may be clarified at the January 22, 2020 meeting.

5. PUBLIC COMMENT

There was no public comment at this time.

6. ADJOURNMENT

Upon a motion duly made (Gruwell) and seconded (Stegemeier), the meeting was adjourned at approximately 10:07 a.m.